

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA,)	
Plaintiff,)	Case No. 15-05020-01-CR-SW-RK
vs.)	
VANCE W. COOLEY,)	
Defendant.)	

DEFENDANT’S SENTENCING MEMORANDUM

Comes now Defendant, by and through his court-appointed attorney, and respectfully requests the Court to follow the recommendation of the District Attorney’s office and sentence Defendant to a term of 140 months after considering the following:

1. The PSIR confirms that Defendant is 62 years old (PSIR page 2). A sentence of 140 months (11 years and 8 months) means that when Defendant is released after serving this sentence, he will be 74 years old if he receives no good time credit (approximately 72 years old if good time credit is given).
2. Although Defendant has previously served time in the state penitentiary, a sentence of 11 years and 8 months in this case means that he will be incarcerated for approximately double the time spent in the state incarcerations.
3. The PSIR shows that in his youth, both of his parents were severe alcoholics who kicked him out of the home when he was but 12 years of age; that there were many beatings while he was still in the home; and that his mother put wine in his baby bottle to make him go to sleep (PSIR page, 15,

paragraph 75). The undersigned respectfully suggests that this background was a tremendous influence on him and in large part was the reason for his subsequent behavior.

4. Defendant served his country in Vietnam from 1971 to 1973 and was discharged with a diagnosis of PTSD (PSIR page 16, paragraph 81 and page 17, paragraph 87).
5. The PSIR has determined that the guidelines would call for a sentencing range of 140 months to 175 months (PSIR page 18, paragraph 91).
6. The terms of the agreements filed with the Court were the result of negotiations between the undersigned and AUSA Randy Eggert. His office has recommended that the Defendant be sentenced to a term of 140 months stating that this sentence is sufficient, but not greater than necessary, to comply with the purposes of 18 U.S.C. sec. 3553(a).
7. Defendant respectfully requests the Court to follow the recommendation of the District Attorney's office and sentence him to a term of 140 months.

Respectfully submitted,

/s/ Robert D. Lewis
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was filed on August 16, 2016 with the CM/ECF system which notified all interested parties.

/s/ Robert D. Lewis